

REMARKS

Claim 41 has been amended, and claim 42 has been cancelled without prejudice. No new matter has been added by virtue of the amendment. For instance, the amendment of claim 41 are supported by former claim 41 and page 7 of the application.

It is also submitted that the amendment may be properly entered at this time, i.e. after final rejection, pursuant to 37 CFR 1.116 because the amendments do not raise any new issues or require a new search, and they reduce issues for appeal. Thus, as noted above, the amendment of claim 41 incorporates subject matter of claim 42, which claim was fully considered. It is also believed the amendments place the application in condition for allowance. Entry of the amendments at this time is earnestly solicited.

Claims 41-59 were newly rejected under 35 U.S.C. 102(e) over Barclay et al. (U.S. Patent 6306554). This is the sole outstanding rejection.

The rejection is based on the third monomer reported at column 14, lines 20-42 of the cited patent. See page 3 of the Office Action.

The rejection is traversed.

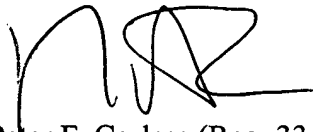
The claims pending herein do not overlap with the monomer of the cited patent as noted in the Office Action. See, for instance, *In re Marshall*, 198 USPQ at 346 ("[r]ejections under 35 U.S.C. 102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.").

In view thereof, reconsideration and withdrawal of the rejection are requested.

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It is believed that the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. Corless', written over a horizontal line.

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